



FF

May 8, 2002

**Montana Fish,
Wildlife & Parks**

1420 East 6th Ave.
P.O. Box 200701
Helena, MT 59620-0701

Environmental Quality Council
Montana Department of Environmental Quality
Montana Department of Fish, Wildlife and Parks
Fisheries Division
Endangered Species Coordinator
Native Species Coordinator, Fisheries Office
Bozeman Office

Montana State Library, Helena
MT Environmental Information Center
Montana Audubon Council
U.S. Army Corp of Engineers, Helena
U.S. Fish and Wildlife Service, 100 North Park, Suite 320, Helena, MT 59601
State Historic Preservation Office, Helena
Ruby Valley Conservation District, P.O. Box 295, Sheridan, MT 59743
Lewis and Clark Chapter Trout Unlimited, P.O. Box 475, Twin Bridges, MT 59754
Bureau of Land Management, Dillon Office, 1005 Selway Drive, Dillon, MT 59725
Malesich Ranch Company, 9575 Highway 41, Dillon, MT 59725
Beaverhead Watershed Committee, P.O. Box 504, Twin Bridges, MT 59754

Ladies and Gentlemen:

In March, you received a draft environmental assessment (EA) prepared for a Future Fisheries Project tentatively planned to restore habitat for a westslope cutthroat trout population within a two-mile reach of Stone Creek, a tributary to the Beaverhead River.

The attached Decision Notice contains responses to public comment. Please consider the draft EA and Decision Notice as the final document.

Based on the EA and public comment, it is my decision to proceed with providing funding through the Future Fisheries Improvement Program for the Stone Creek channel restoration project. Funding for this project has received final approval by the Fish, Wildlife and Parks Commission. I find there to be no significant impacts associated with this action and conclude an Environmental Impact Statement is not warranted. The completed EA and the response to comments included in the attached Decision Notice are an appropriate level of analysis.

Thank you for your interest and involvement.

Sincerely,

Mark Lere, Program Officer
Habitat Protection Bureau
Fisheries Division

Madison

DECISION NOTICE
Stone Creek Channel Restoration Project
Prepared By
Montana Fish, Wildlife and Parks
May 6, 2002

I. Proposal

Montana Fish, Wildlife and Parks (FWP) proposes to provide funding through the Future Fisheries Improvement Program to restore habitat for a native westslope cutthroat trout population in an approximately 2-mile reach of Stone Creek, a tributary to the Beaverhead River. This proposed project is located on property owned by the Bureau of Land Management (BLM) and by the Malesich Ranch Company approximately 10 miles northeast of the town of Dillon in Madison County (see attachment).

II. Montana Environmental Policy Act (MEPA)

MEPA required FWP to assess the potential consequences of this proposed action for the human and natural environment. The proposal was detailed in an Environmental Assessment (EA) completed by FWP March 4, 2002. The 30-day comment period for this EA ended April 4, 2002.

Issues raised during the public comment period on the EA are addressed in the Comments section of this Decision Notice. The Draft EA and Decision Notice will serve as the final document.

III. Summary of Public Comment

As of April 4, 2002, FWP received one written comment from the BLM and one telephone comment from one individual. No other comments were received. The comments that were received brought up the following issues:

Issue 1. The National Historic Preservation Act will require a prior archeological survey for that portion of the project on BLM lands.

Response: An archeological survey will be conducted prior to the start of the project. FWP uses an archeologist under contract to conduct these surveys and the project will not begin until a clearance is obtained from the State Historic Preservation Office. The BLM is encouraged to use their own staff to conduct a survey on BLM lands if they so choose. Should cultural properties be identified, the proposed project will be modified to avoid or mitigate potential adverse affects to these cultural sites.

Issue 2. Re-vegetation needs to be a component of the channel restoration project.

Response: All areas disturbed by construction will be re-vegetated. Re-vegetation efforts will involve the use of a native seed mix, the placement of salvaged sod and sedge mats and the installation of willow clumps. Re-vegetation techniques will be site specific but will commonly utilize a combination of the techniques listed above.

Issue 3. Livestock grazing needs to be properly managed to insure the success of the proposed re-vegetation efforts.

Response: BLM manages the Stone Creek Allotment Plan that addresses grazing management on

BLM lands. As a result, it will be their responsibility to insure proper grazing practices are implemented to protect newly planted vegetation for that portion of the project occurring on BLM lands. For the private land involved in this project, a grazing management plan is in effect with the U.S. Natural Resource and Conservation Service (NRCS) in association with an Environmental Quality Incentives Program contract. Under this contract, the riparian pasture is scheduled for rest over the next two years.

Issue 4. A location map should accompany the Environmental Assessment.

Response: Please see attached.

Issue 5. The EA does not discuss sediment transport, channel entrenchment and loss of floodplain function.

Response: These issues weren't discussed in the EA because a final design for this proposed project has not been completed. The contractor selected to complete a final design will be required to address channel entrenchment by designing an inset floodplain and by identifying the placement of grade controls at proper channel locations. Additionally, the final design will require the incorporation of a keyed-rock grade control structure at the downstream terminus of the project to minimize the possibility of further entrenchment and channel head-cutting. Existing sediment loading problems in Stone Creek will be mitigated by the proposed road repair project being undertaken by Barretts Minerals, Inc. This road repair project will be conducted in concert with the proposed channel restoration work.

Issue 6. Best management practices for sediment control should be identified in the proposed project.

Response: This proposed channel restoration project will require a 318 authorization from the Montana Department of Environmental Quality, a 404 permit (Clean Water Act) from the U.S. Army Corp of Engineers and a 310 permit (Streambed and Land Preservation Act) from the Ruby Valley Conservation District. Each of these permits or authorizations will include a listing of best management practices (BMPs) that will be required to insure the protection of water quality while the restoration project is undertaken. The project will comply with all of the BMP's listed.

Issue 7. There are no guidelines for measurement for success.

Response: FWP has monitored the native westslope cutthroat trout population in an upstream reach of Stone Creek where a previous channel restoration project was successfully completed. FWP plans to continue to monitor trout populations within this previously restored reach of Stone Creek and will expand monitoring to include the stream reach currently proposed for restoration. Project success will be defined in terms of increases in the density and standing crop of westslope cutthroat trout residing in Stone Creek. Additionally, Barretts Minerals, Inc. has independently funded a monitoring project involving water quality, aquatic invertebrates and periphyton in Stone Creek. These monitoring efforts also will be expanded to include the stream reach currently proposed for restoration.

Issue 8. The county road may influence this channel restoration project.

Response: As a condition of an enforcement action against Barretts Minerals, Inc. by the Environmental Protection Agency, the company is funding a supplemental environmental project

involving road re-construction to address sediment generation and delivery to Stone Creek.

Issue 9. Ute Ladies' Tresses (Spiranthes diluvalis) is a rare perennial orchid (species of special concern) known to inhabit swales and wetlands in the Jefferson River drainage and in the lower reaches of Beaverhead, Ruby, Gallatin and Madison rivers. The project site should be surveyed and, if the plant is present, construction activities should be modified to avoid disturbance.

Response: Prior to the start of construction, project managers will consult with plant specialists from NRCS and BLM to ascertain the potential presence of this rare plant on the project site. If determine to be present, measures will be undertaken to prevent possible disturbance.

IV. Modifications to the Environmental Assessment

Based on the public comments received, modifications to the Draft EA are presented in the responses made in association with the issues outlined above.

V. Decision

After review of the proposal and the corresponding comments, it is my decision to proceed with providing funding through the Future Fisheries Improvement Program for the Stone Creek channel restoration project. The action will benefit the westslope cutthroat trout population and riparian wildlife of Stone Creek.

I find there to be no significant impacts associated with this action and conclude that an Environmental Impact Statement is not needed. The completed EA and the response to comments included in this Decision Notice are an appropriate level of analysis.



Mark Lere, Program Officer
Habitat Protection Bureau
Fisheries Division

